1949.

File No. O Electricity/49

Legal Department

A BRANCH

Subject:— Opinions under the Electricity Act, 1949.

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C O N T E N T S.

Legal Department File No. C./Electricity /49.

Sr.No.	R.I./C.No.	Subject	Pages
		Opinions under the Indian Electricity Act, 1949.	
1.	C.No. C./204 20-4-49	Section 12(3) Whether & it would be legally possible to lay down or place any electric Supply line in the requisitioned premises wiwa without the consent of the landlord.	1-6

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In the case of requisitioned premises there is no relationship of landlord and tenant. Consequently section 24 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, will not be available and the contention of the Chairman of the Dadar Co-operative Stores, Ltd., is not tenable.

Section 12(2) of the Indian Electricity Act, 1910, provides that nothing contained in sub-section (1) shall be deemed to authorise or empower a licensee without the consent of the local authority or of the owner and occupier concerned as the case may be to lay down or place any electric supply line or other work in, through or against any building, etc. It is clear from this provision that the consent of the owner as well as the occupier is necessary to authorise or empower a licensee to lay down or place any electric supply line, etc. By virtue of requisition the owner of the requisitioned premises does not cease to be an owner. Consequently without the consent of the landlady in the present case it would not be legally possible to lay down or place any electric supply line in the requisitioned premises. The view taken by the Services Engineer of the Bombay Electric Supply and Tramways Committee is correct.

Sd/-P.M.Lad
20-4

Remembrancer of Legal Affairs.

U.O.R. to C. of G.J. J.No. G/304, dated 20-4-49

S.A.V.
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